

REMARKS

In response to the Office Action mailed on October 30, 2007, Applicant(s) respectfully request(s) reconsideration. Claim(s) 1-5, 7-13, 16-23, 25 and 27-39 are now pending in this Application. In this Amendment, claim(s) 1, 5, 8, 19, 36-37 and 39 have been amended and claim 38 has been cancelled and claims 40-42 have been added.

Claims 1, 19 and 40 are independent claims and the remaining claims are dependent claims. Applicant(s) believe that the claim(s) as presented are in condition for allowance. A notice to this affect is respectfully requested.

Antecedent objections to the "filtering complex" have been herein addressed. The amended claims now refer to a filter complex.

Claims 1-5, 7-12, 16-23, 25, 27-30 and 32-37 have been rejected under **35 U.S.C. §103(a)** as being obvious over Afek et al., U.S. Pub. No. 2002/0083175 (hereinafter Afek '175) in view of Ylonen et al., U.S. Pub. No. 2003/0110379 (hereinafter Ylonen '379).

Afek '175 differs from the disclosed invention because Afek teaches a first and second set of routers (regular and "guard" routers (R_n and G_n), as introduced at paragraphs [0240] and [0241]). These two sets of routers define different physical paths for rerouting message traffic. The claimed approach, in contrast, distinguishes rerouted message traffic via first and second routing protocols (i.e. transport mechanisms) using an overlay approach, not by different physical routing paths from alternate physical routers. Thus, in the presently claimed approach, a host target router 14 continues to service the target node, however it does so using the second protocol, not via a guard set of routers as in Afek '175. Accordingly, Claim 1 has been herein amended to recite that the second routing (transport) mechanism is a virtual private network (VPN) having a separate set of routing tables in an overlay arrangement with the first, primary network protocol under which the rerouting to the filter complex occurs,

as discussed in the specification at page 5, lines 9-12 and at page 16, line 28-page 17, line 12. Claim 36, rejected on similar grounds, has been likewise amended.

Further, Claim 40 has been added to further clarify this distinction by reciting that "the target node router [is] in communication with the target node via both the first protocol and the second protocol and operable to deliver message traffic to the target node via either the first protocol and the second protocol." The Afek '175 disclosure, in contrast, defines the standard and guard sets as distinct routers, not a single router responsive to both protocols.

Further, with respect to the teachings of Ylonen '379, Ylonen does not show, teach, or disclose, alone or in combination, a reroute message for rerouting in an overlay manner, as discussed further at page 5, lines 5-13. Rather, Ylonen '379 takes one of two distinct paths based on routing considerations (paragraph [0039] and source A and source B in the cited example), not an overlay path between the same endpoints. The claimed reroute message approach differs from the Ylonen '379 approach because the reroute exhibits an overlay arrangement, not a separate path as in Ylonen (Sources A and B of Figs. 2a-2c). The claimed second path adheres to the second protocol to transport the message traffic between the same source and destination via an overlay path.

Ylonen '379, in contrast to the present claims, teaches a firewall approach to distinguish the undesirable packets [0037-0038], not a reroute in a second protocol. Such a firewall approach differs because the desirable and undesirable packets follow the same route and are "blocked" by the firewall, while the claimed second protocol applies different routing control to the desirable packets. No such second protocol or transport mechanism is disclosed in Ylonen. While in fact the Office Action suggests that Ylonen teaches a second protocol at paragraph [0039], citing protocols A and B, these different protocols are for separate, unrelated transactions, emanating from first and second sources. In the claimed approach, the same message, initially routed using the first protocol, is rerouted using the second protocol. Accordingly, the Ylonen approach is disclosing the ability to HANDLE different protocols, not to REROUTE using different protocols for the same message. Claims 19, 37 and 39 have been amended

as per claim 1 above, and further to recite "the redirecting thus transporting the same message via both the first transport mechanism and the second transport mechanism," to further distinguish over Ylonen '379. Added claim 40 likewise recites this distinguishing feature. Accordingly, one of skill in the art would not look to Ylonen '379 to modify Afek '175 because to apply the Ylonen firewall approach (i.e. a single "gateway" node) defeats the multi router approach exhibited by the Afek "guard" routers. Further, the present invention would still not be anticipated because there is no showing, teaching, or disclosure of first and second routing protocols in an overlay on the same physical network, as now recited in amended claims 1, 19, 36-37, 39 and new claim 40.

Claims 36 and 37, rejected on similar grounds, have been likewise amended.

Claim 39, rejected on similar grounds as discussed above and further in view of Desai, U.S. Pub. # 2003/188,189, has been further amended to recite that "the second transport mechanism defin[es] a Virtual Private Network (VPN) protocol," to further clarify. Claims 1, 19, 36 and 37 have been similarly amended.

As the remaining claims depend, either directly or indirectly, from claims 1, 19 and 40, it is respectfully submitted that all claims are now in condition for allowance.

Applicant(s) hereby petition(s) for any extension of time which is required to maintain the pendency of this case. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 50-3735.

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If the enclosed papers or fees are considered incomplete, the Patent Office is respectfully requested to contact the undersigned collect at (508) 616-9660, in Westborough, Massachusetts.

Respectfully submitted,

/CJL/

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